

MINUTES FROM COUNCIL MEETING
CITY OF NORTH CANTON
MONDAY, SEPTEMBER 14, 2015

1. Call to Order

COUNCIL PRESIDENT PETERS: I'd like to call to order the Council Meeting Monday, September 14, 2015. Opening prayer Reverend Steve Stultz Costello, Faith United Methodist Church. Welcome, Reverend.

2. Opening Prayer – Reverend Steve Stultz Costello, Faith United Methodist Church.

3. Pledge of Allegiance

4. Roll Call

COUNCIL PRESIDENT PETERS: Clerk, please call the roll?

Roll call found the following council members in attendance: Cerreta, Foltz, Fonte, Griffith, Kiesling, Peters and Werren. Thus having 7 in attendance.

5. Consideration

COUNCIL PRESIDENT PETERS: So may I have a motion and a second to approve as presented:

Special Committee of the Whole Meeting Minutes: June 22, 2015

Council Meeting Minutes: June 22, 2015

Committee of the Whole Minutes: July 6, 2015

Mayor's Court Receipts – June 2015

COUNCILMAN FOLTZ: Motion to approve as presented.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes, 1 abstain to approve the above reports. Kiesling abstained.

COUNCIL PRESIDENT PETERS: Thank you very much. At this time if you wish to address council please step forward state your name and address.

6. Recognition of Visitors

SALLIE LUX: 850 Easthill, Unit 203. First of all I want to I want to address the nuisance issue at 840 Easthill. And to start with I'd like to thank council for the action that they've taken in attempting to pursue and correct the nuisance that has been on the premise for 6 or 7 years. I do appreciate it. And I thank all of the citizens of North Canton and the people who drive up and down Easthill, bike up and down Easthill, walk up and down Easthill I appreciate it as well. I am here tonight however to speak really against what I believe is a settlement agreement that's going to be presented at executive session. And the reason for that is because I do not believe that the settlement which is going to be recommended is sufficient to address the nuisance that's presented. My understanding is that the settlement agreement is pretty explicit with respect to obligations the city is undertaking or benefits to Mr. Zablo but the actions to be undertaken by him are pretty minimal and I would say somewhat ambiguous to say the least. When you're presented with this draft settlement agreement all that it requires of Mr. Zablo is to take down the concrete blocks and to spread a little dirt over the footers that are left, throw some grass seed and that's pretty much it. I think that this is not sufficient to address the totality of the nuisance that's presented. And I have brought with me I took some photos actually just yesterday...may I approach? Thank you. I only brought 2 copies so you can share them. I'm not going to go through them one by one but perhaps when you're back in executive session you can look them over. But I want you to consider the totality of this nuisance. It's not just the brick walls, it is a huge construction zone, a huge hole, very large hole. Just simply taking down the concrete wall is not going to correct the problem. Some of the photos and I apologize I'm not a very good photographer but I attempted to show the, the dirt behind the wall, what's going to be left there, what's going to be left there exposed to the elements to rain to show to whatever. I just don't think that's sufficient just simply taking down the concrete blocks, throwing a little dirt over the concrete footers. We all know what the footers are they're down there at the base of the hole. And that really isn't sufficient. I think that in order to properly address this nuisance the walls need to be taken down I think that the property needs to be restored not to its original condition because of course that the natural topography has changed. But clean fill dirt should be brought in, it should be the property should be graded so that it properly drains during the time period before the building is constructed. Mr. Zablo should be required to remove all the weeds, he should be required to remove the stones. I think some of the photos show even, even adjacent to the building there's stones all the way down the driveway. If the association even wanted to mow they couldn't because the state of his property is such that that you simply cannot you can't clean it out. So he should be required to bring it in clean fill properly so and maintain that property. All this needs to be spelled out explicitly in the settlement agreement. Believe me you know Mr. Zablo is a great contractor, he builds a wonderful home. I live in one of his homes, it's a beautiful home. But in order I think we need to

be very explicit as to what his obligations are under any settlement agreement. Because we are what's going to be recommended is that this is going to fully cover all matters in the notice of violation that you issued and it's going to fully resolve all the matters that were subject of the complaint that was filed against him in the criminal court. And that means it's supposed to address the entire nuisance and is drafted it just simply does not. It's just insufficient. I also brought these photos because I wanted to show you the state of that property. This summer when the man had a criminal complaint against him there's been no mowing, the property just is not being taken care of at all. I mean that is truly contempt of this council. And I also think that well I know it harbors animals, there are groundhogs, woodchucks, rodents in this hole in the ground. It's just simply is an unsafe nuisance and it's truly, truly a tragedy for the city. And it's truly a tragedy that it's been going on so long. I think this matter should be resolved. Believe me, I don't think it should be prosecuted in court. I don't think there should be a trial but I think I know Mr. Zablo well enough that if you don't require everything you expect him to do in writing, in this agreement believe me the bare minimum will be done. And the bare minimum is set forth in the agreement that's going to be presented to you is insufficient it simply does not fully address the nuisance that has existed there for quite some time. And thank you for time.

COUNCILMAN CERRETA: Sally, thanks for bringing that to our attention. I think we all agree we've seen the pictures and you took some really good pictures. You did. (Oh thank you) And I don't want to speak for everybody but I believe we feel the same way you do we do expect something that looks nice for our community and that. So I really appreciate you going those. Yes, thank you.

LINDA BRUNK: My spouse and I bought 1436 Jonathan from Ms. Jane Cropley. She was the original owner; the fabulous young lady that decided to leave her home and we got a beautiful home. We are into revitalization of the community. My neighbor, our neighbor Jody bought 1440 Jonathan. If you haven't driven by those two homes in a while you should. We bought it and started renovation in May, we moved in in June and have put everything that we could into it. We've done everything that our contractor suggested and also the inspectors we've graded away from the home. We put new gutters in, etc. Here tonight because we have a bit of a water issue coming down I don't know if its Heatherwood or Elmwood, I don't know the woods in the neighborhood yet. A lot of little roads but its we're at the corner of Jonathan I want to call it Heatherwood but I think it might be Elmwood. Elmwood?

COUNCILWOMAN KIESLING: Elmwood is where your drive is, Heatherwood is across the street.

LINDA BRUNK: Okay, so Elmwood and it's a little bit of a hill and what is happening when it rains hard and I'm not talking about the rain a little over a month ago that everybody got really pounded on. Almost every rain that we get our yard floods on the Elmwood side our gutters go out to the street and over time the pavement has just gone higher than them. So what is happening is the water is coming down its backing up we've replaced our gutters our downspouts with bigger ones now it's overflowing at the base. It's the house has been waterproofed, our sump goes out to that line. We're a little concerned that now we can end up with a flood after all the money and revitalization we've done. I'm here tonight just asking for consideration that we look at curb and sewer drainage there. I know a lot of young folks along there have been stopping and talking to me as I'm working outside telling me their woes as well. They're not giving me much hope though they're like "Linda it's not going to happen" I'm like no, anything can happen if we come together as a community and really want...we love the neighborhood its walkable, it's beautiful, I'd like to see some more we have a new roof going down the street, a new kitchen going in with somebody else. So I think people just want to come together and we're here to make that happen. So I'm hoping that we can look at that. I know there's some future talk about putting a new waterline in. The young man at the city said that perhaps we could do it at the same the time. We have a small little bump at the end of the street that the city's put in but it doesn't stop the water. So hopefully we can do this in a reasonable amount of time so we won't have issues down the road. Thank you so much. Thanks to Dominic he's been out, the mayor and council, really appreciate all you do. Thank you.

COUNCILMAN FONTE: Yeah, thanks Linda. I was just going to say I've been to her house a couple of times and they're doing an awesome job with the neighborhood. So the older houses it's nice to see the charm how you bring it back and the neighbor. If you get a chance you should drive by and see what they're doing and boy it's a nice little start for that neighborhood cause its turning over now I noticed. But yeah did a fine job. Thank you.

(Ms. Palmer read from a prepared script)

RITA PALMER: 307 Fairview St SE. And I'm reading this on behalf of my husband and myself and my husband is Chuck Osborne. Unbelievable as it sounds members of North Canton City Council apparently do not want to hear from its citizens nor do they want to uphold the laws each have sworn to uphold when they took the oath of office as elected representatives of the citizens of North Canton. As proof of that statement is the nearly one year long appeal to city council for a hearing appealing the approval of a conditional use permit by the City's Planning Commission at a meeting held on October 8th, 2014 allowing expansion of the Hoover District parking lot into an area zoned residential R2F without compliance with the city's zoning code. The appeal process is guaranteed in Ordinance 1177.11 of the City's zoning code. It is written in plain simple English that anyone can understand. Stark County Court of Common Pleas Judge Kristen Farmer can indeed read plain, simple English. Judge Farmer ruled on August 21, 2015 that quote "North Canton City Council's dismissal of the appellants appeal pursuant to Ordinance No. 1177.11 was unconstitutional, illegal, arbitrary, capitious and unreasonable". I hope this council understands that it has wasted city tax dollars fighting the very residents you are sworn to represent. One would think that the ruling of Judge Farmer was also quite clear. All ascertains by North Canton City Council to the court regarding who could or could not and who did or did not have standing to appeal or dismissed entirely by Judge Farmer. In her ruling from the court and that brings me to the point of my remarks tonight. Last week we received a letter dated September 3, 2015 from Clerk of

Council Mary Beth Bailey outlining the following rules and procedures for the appeal hearing scheduled before City Council on September 29, 2015 at 6:00pm. First the letter states that a single representative would speak for appellants Charles Osborne, Rita Palmer and Maria Harris. I want to point out that there were a total of 16 citizens who filed the appeal to City Council on November 7, 2014. Each should be allowed an opportunity to speak. Second, the letter on its face appears to define the rules and procedures for the hearing. Perhaps someone should go back and read Ordinance No. 1177.11 which states in part quote "council shall establish appropriate procedures and rules to hear and decide such appeals". The rules and procedures for an appeal hearing per this ordinance are to be set by council, not an individual behind closed doors who then instructs the clerk of council on what to say in her letter. The rules and procedures must apply equally to all citizens in appeals to City Council. To establish the rules and procedures Council must discuss openly in committee after the topic is placed on the council agenda for discussion. Voting for the agreed upon rules and procedures should take place in a public meeting as in any other action of council and approval acknowledged by a majority vote of Council. Council is a public body and its actions are conducted in public for the benefit of the public to allow input from its citizens. In this manner the requirement of Ordinance No. 1177.11 where it states "council shall establish will be met". Last the letter states the appeal will be held at a special council meeting. North Canton City Council conducts committee meetings generally referred to as Council of the Whole to discuss proposed legislation. Council holds legislative meetings referred to Council meeting to vote on legislation. Council holds public hearings to satisfy lawful requirements and invite public input on a particular issue. Council holds special council meetings to vote on special legislation. An appeal hearing should be titled as such in order to comply with the purpose of the meeting and be in compliance with Ordinance 1177.11 with the exception of the date and time of the appeal hearing stated in the letter from the clerk nothing else stated in the letter complies with the ruling handed down by Stark County Court of Common Pleas Judge Kristen Farmer or North Canton Ordinance 1177.11. Failure to comply with the order of the Stark County Court of Common Pleas as well as North Canton Ordinance 1177.11 could place North Canton and City Council in contempt of court. This Council should do what Judge Farmer has order and what North Canton law requires to avoid such a precarious position. Anything short of those actions should lead to a motion to hold North Canton City Council in contempt of court. Thank you for listening.

COUNCIL PRESIDENT PETERS: Okay, anyone else wishing to address council please step forward state your name, address.

CATHERINE DIMAIO: 850 Easthill. I would like you to clarify Mr. Zablo's obligation. Because whatever he does to fulfill your specifications is all he will ever do. So we want to make sure that it's done properly that it is safe and that it is acceptable to us. So please clarify that for us and let us know how quickly this can be done we don't have a date on it either. He will never do it again. So let's make sure it's done properly. Thank you.

GLEN SAYLOR: 340 Reed Ave NW, North Canton. I just wanted to come up here to let everybody know that Rita and Chuck aren't lone wolves in this thing. I think it's pretty self-evident from what the court ruled that everything that Rita said should in fact occur. The court was pretty explicit about it. If you remember you can go back to my statements that I had in February 23 when I spoke to this Council that I did not think that those requirements that the law director specified were applicable. I said specifically that was in regards to court cases and that the portions of the charter that were referred to by Rita were the rules and regulations that should be abided by. You can go back and look at that. So I hope you guys do the right thing okay? Think for yourself a little, okay? Do not follow the pied piper all the time. Okay, think for yourself every once in a while, okay? Because you're going down the wrong path again. You did that a couple of years ago when you gave yourself a pay raise using emergency legislation. Okay, and not one of you stood up and said "hey, that's wrong we shouldn't do that. We should not use emergency legislative to give ourselves a pay raise". Not a single one of you I'm going to exempt Dominic here because he wasn't on the Council at that time. That was strike 1 against you guys. Strike 2 was when you guys went behind closed doors and invalidated Issue 5 and didn't tell a damn person. Not a one of you. And then at least 3 of you abused that for your own personal benefit. And I don't care what your excuses were it was inexcusable. And for some of you to say that you're here representing the people of North Canton I'm sorry but when you do something like that you do not represent the people of North Canton. And I'm pointing specifically to you Mr. Peters for what you did in regards to that matter. So this is your third opportunity okay and three strikes in baseball and you're out. So hopefully you guys do the right thing because in November if you guys have the third strike against you I hope the citizens of North Canton call you out. Because that's what they ought to do. And I would also ask this Council tonight to seriously consider firing Mr. Fox. He has not been good for the City of North Canton. And I usually hate to say that I hate to see a person lose their job but I would make an exception in this case. Thank you.

COUNCIL PRESIDENT PETERS: Okay, if there's anyone else wishing to address council please step forward state your name and address.

LINDA HOAGLAND: 850 Easthill St SE, unit 102. I am here in regards of the settlement that's behind closed doors at this point again with Mr. Zablo. My husband sent an email to Mr. Held, Mr. Fox and Mr. Benekos today and I will leave a copy for you and I'm addressing this to you the council people because the vote's going to come down to you and then Mr. Held can sign the papers. Again, its 2 pages all for Mr. Zablo. Here we are 850 Easthill residents we get one little sign, one little sentence and all it says is we're going to grade. Don't we even have the opportunity or don't we can't you somebody call and tell us what that is? What does grade and seeded mean? Who's going to take care of it? We've been paying to have the weeds taken care of. And it's his property. So and I know I wasn't here I know it's a big can of worms and when you take the zoning commission out of it and all those people that fought for 7 years against him that's all down the drain. So that's all I ask. Make sure when you sign that that you know what's going to happen there. Because you don't have to drive out of there every day. Do you? You're homes didn't lose value I'm sitting in some place that was my retirement in full faith paid good

money and you've allowed this to go on. They just sold a building and they have a nice view over there for \$220,000. So think about it would you want to drive out, do you want to your retirement, thank God maybe none of you have to be retired yet. My husband and I are both retired. And it's not through my choice and I bought that because of the accessibility of elevators and stuff. And you're going to sign off oh yeah he's going to cut it. You guys know what he does and says. If it's not written down out A, B, C it's not going to happen. And I'll leave a copy. Thank you.

COUNCILMAN FOLTZ: Thank you.

COUNCIL PRESIDENT PETERS: Alright, if there's anyone else wishing to address council please step forward state your name and address. Alright, seeing none we will move onto old business. May I have a motion and a second to read by...oh I'm sorry.

COUNCILMAN CERRETA: Jeff, can I amend the agenda I want to get Ben Wheeler speaking for the YMCA?

COUNCIL PRESIDENT PETERS: Oh yeah, I'm sorry.

COUNCILMAN CERRETA: Can we make a motion to amend...okay, Ben. Glad you're here.

BEN WHEELER: Thank you. North Canton YMCA 200 South Main St. Let me pass some materials out to you guys as well. I've got extras are we good? Okay. Alright, well thank you for the opportunity to address Council this evening. I will try to be brief I know you guys have a lot of other things to discuss tonight. Just wanted to take a moment and bring you up to speed on kind of where we're at as we've begun to look back at the past summer and the management agreement with Dogwood Pool. We've begun to pull together some data and pull some other information so I just thought I'd kind of share with you what we have at that this point in time. Of course, we you know we just finished up on August 23. So just a few weeks ago and our books aren't closed yet on the summer so we don't have all our financial data together yet but we'll be getting together with Karen soon to review that and go over that once we're able to close the books on that. But some of the information we have been able to put together I wanted to share with you. So there's a couple of different packets here in front of you we'll kind of start at the front and work our way backwards. This first sheet just kind of gives you an overview of the season passes that we were able to sell this year. Kind of the different categories to move forward from members of the Y, nonmembers and the total sold. If you look back in 2014 the records that we have indicate that we sold about 715 total season passes in that year. And happy to say that this year we were able to increase that by almost 9% to 778 season passes sold this year. So it continues to grow and we're able to provide access to the pool on a season level to a number of additional people to move forward. And if you'll look at some of those categories and you can kind of see a breakdown as well in front as to where which group of people bought passed from there as well and you can see our families went up considerable this year as well. So we're excited about that number. On the second page of that sheet if you flip it over went and just did the math for you based on the front page. So we'll have to break all the calculators. If you look this is based on this year's rates what went into this summer with applied last year's number and this year's numbers back and forth this way. And again because of the increase in families we're pleased that what we would have projected an \$86,000 in season passes last year we're able to bring up the \$98,000 this year. So it will be an extra 14% season pass increase based on the rate changes and tying those numbers together this year to last year's rates. So give you an idea of just what some of those numbers look like and some of the things that were able to happen this year from a season pass holder perspective. So again a lot of numbers in there so I want to give you time to digest that and do that as well. But of course I'm always available for you. If you flip to the...is any questions on that one? Okay. I know it's a lot to digest so I just wanted to share some information with you. On the second page the second packet that I put together for you this is a report that we had the staff working on kind of throughout the summer. So this was an idea to really begin to track who's coming into the facilities; it is pass holders, is it guess coming across the desk, how many visitors do we have on a given day, what's the revenue for the desk, cash total so on and so forth. Again these are just concession revenues on the right side. Just some basic numbers not the end all be all certainly. So given ideas we kind of looked back in May and you see in June we had a couple pretty slow days there with a lot of rain that we went through. On the far right side of that column you see some notes that we were able to put in of days that we closed earlier we had to close due to the weather, thunderstorms, cold weather, so on and so forth. So you kind of see how it picks up through July and into August. But the real number I want to highlight for you is the very last one at the bottom of the third page I put a big box around it. This year I'm proud to say that we had over between season pass holders and guests coming through the door 33,681 people come through the pool this year.

COUNCILMAN FONTE: Compared to last year what would that be?

BEN WHEELER: You know I don't know I don't have good numbers for last year. So yeah, and we're able it's hard to tell based on last year's numbers I don't have good numbers for last year as far as visitors this way. Yeah, I don't believe they were able to do it.

COUNCILMAN FONTE: The guest is that like come someone comes as a guest or somebody that pays individually or you bring a party with you.

BEN WHEELER: Yes, all the above. So if you're a season pass holder so what this number includes would be everybody the season pass holder that comes in and they scan their card or bring their family and scan their card, adults and children over the age of 5 and then it would be any guest that would of came and paid a guest pass. So if you came with a family of 4 that would be 4. If you know...

COUNCILWOMAN WERREN: And it was like \$10.00 a piece or was \$8.00?

BEN WHEELER: \$9.00, pretty sure, yeah, now that does not include groups that came in there was a I'd have to look at the numbers 8...

COUNCILMAN FOLTZ: It was \$8.00 because we didn't change it.

BEN WHEELER: Okay, but the number does not include was groups that came in so we had groups from a couple of the area churches and preschools in the area. We had groups from summer camp in the area as well that come in so that number does not include that. Does not include children under the age of 5 that come in with a parent so they don't have a separate card for the young ones the 2 and 3 years and the babies that way. And that was a continued policy that we had for years past for the city. Of course, swim lessons participants as well. I can tell you there were weeks we had well over 1,000 guests that'd come in just between the groups that came in to use the pool in that way as well. So that's certainly a low number but when you look at even back in June the number of days that we were closed from the 2 collectively we operated the pool for 93 days this summer. So we average about 330 people a day coming in and out of the pool. Including those days when we were closed due to bad weather. If you take those out and of course it elevates and goes higher from there too. So just again just to show you what a tremendous resource it is our community and for so many people that call North Canton home that we have 34,000 plus people that came in the doors this year at Dogwood Pool in less than 93 days for the days that we were closed.

COUNCILWOMAN WERREN: How did you feel the concession stand went?

BEN WHEELER: I think the concession stand went well. I looked you know from a financial standpoint looking at the preliminary numbers we have right now I think we were able to increase that which was great. We had a lot of positive feedback on some of the healthy choices we were able to offer this year. We switched partners with part of the Y's worked with for a while which was Sisco Food Systems this year which was different since it was first time partnered with them and they were able to provide some guidance and some alternative with some of the healthy stuff that way tool. So we thought it was we overall were very pleased with the way it went. But it's not what we feel about it it's what our members feel about it. Which leads you to number 3.

COUNCILMAN CERRETA: Well looking at some of these numbers though geez especially in July especially your Saturdays I mean you're up to 5,000, 4,000, 3,000 I mean your, your revenue coming in you know you can really see what days were pretty bad like on the Sunday the 26th. Must have been a rainy day. I mean it didn't rain much but...

BEN WHEELER: And this is when we started throughout the this is the report I'll tell you we started about midsummer, about June so we didn't catch all the weather as well as well next year we'll fine tune this a little bit differently if we continue the agreement moving forward. But you know it was interesting cause you know I do think the weekends overall were busier for us in many ways and if you look at the big dollar days those are dollars at the pool. Doesn't count dollars that came in through the main building so ignore the dollar sign as much it's more about the number of people that came in? But those are days you had heavy guest passes and that's why the pool would be in because you had a lot of people that were non-season pass holders that would come to use the pool for the day. And those of course would be a lot of cash transactions across the desk as they weren't season pass holders from there. But you know when we ran this report and we were able to sort it a number of different ways and we looked at our busiest days when we had the most number of people in the pool season pass holders and guests there were a few Saturdays and Sundays but I think our third busiest was a Monday. Like our fifth busiest was a Tuesday it really depends on the weather 100% it's really hard looking at it initially it's hard to predict what's going to be good except for checking the weather report and really going off of that. So...

COUNCILMAN GRIFFITH: It looks like Ben the ability to utilize credit cards for the transactions was also really helpful too.

BEN WHEELER: It was you know this was of course the first year we were able to do that well and even for a lot of the reporting one of the things that the Y was able to provide this year was we did enhance the technology systems at the pool for this summer to be able to utilize some of our existing resources that way. And that allows us to generate these kinds of reports. So we can not only see how many were guests versus how many were season pass holders and when they came from and where they came from but also to utilize the card credit process this year. Well even to take those kinds to sell season passes at the pool itself. We sold a number of season passes after the season started once we opened at the front desk of the pool. Where people would just come in and said "you know I'm going to be here a lot I'm just going to buy it" where in the past they weren't able to do that. They were simply just be able to get a guest pass and had to come to city hall to do that as well. So I think it added an additional opportunity that way. And I think I shared with you guys previously when I came in the middle of the summer that one of the things that surprised us even was how many people took advantage of buying those season passes pre-season in the evenings and on the weekends. Times which traditionally they would not have been able to do that due to the limited hours here. There's a lot of a people able to come into the YMCA and to use the building open at 5:00 in the morning staying open until 10:00 in the evening during the week is a really tremendous resource.

COUNCILMAN FONTE: I heard a rumor and I don't if it's true but did they come up with a quicker way to get the people through the gate with the scanner? Because I heard there was a little bit of a backup there and that was one of the issues we had to deal with. Did we get that ironed out?

BEN WHEELER: Yeah, we did we had come up with a couple different strategies the first we can look at the report I can tell

you which day it was based on the report. It was the first Sunday in was it June 7th might have been was the first really busy day with quite a few visitors came in and quite a few people and we it was the first time we had that rush of families and that rush of people come in that way. And it was the line was much longer than was acceptable to us either as well as to them. So we did put some strategies into place and we were able to streamline that process. We actually added a third computer about midway through the summer to the front desk area to be able to speed that line along and we went into a paper system and we created a backup system in place so if at any point the line was longer than 10 minutes to get in we could implement a backup system which would go to paper we allowed them to fill out in line and process it later. So we were able to do a number of different things that way to expedite the process.

COUNCILMAN FONTE: Hand held scanners like they do at Sam's Club you know to whip through the line quicker. Just a thought.

BEN WHEELER: And that worked as well. Yeah, our scanner system it up and down this way and the band system. The other challenge that we had is that the first time somebody comes in the pool we do gather information so we know who's in the pool and who's in the building. Same as we would with any facility so we know who we're serving and know who's on site on the premises this way. But once that's gather and they're in the system well the next time it's should be easy because we already have their information doesn't change. So...

COUNCILMAN FONTE: So if you have an outsider that comes to the pool you know a guest that's outside the city and they're an offender is there a way that you can catch the offender quickly so you don't let them in as a guest?

BEN WHEELER: There is. Yeah, through our database through the YMCA and all of our facilities in Stark County we work with a company called Safe Point which identifies anybody that's on the sexual offender registry list nationally and if that comes up we do deny access to all YMCA facilities anywhere with children. We do that and it did happen twice at the pool this summer that we had somebody come up and do that.

COUNCILMAN FONTE: Yeah, I heard that.

BEN WHEELER: Yeah, we did. So we had that conversation with them and it's happened a number of times throughout the association but in North Canton a handful of times but luckily not a tremendous number but a few times. But it does and I know that our families are aware of that it certainly does make them feel safer to know that we are double checking and going through the process that way. So anybody that's been convicted of a crime and is on that sexual offender database nationally. We're able to do that as well.

COUNCILMAN CERRETA: So we have here a survey.

BEN WHEELER: Yeah, the third one real quick this was an opportunity we had again utilizing technology to send an electronic survey out to all of our season pass holders. So I just took a couple of highlights from you and I tried to simplify it a little bit to make it simple. I took out everybody that wasn't good or excellent because that's really all we're shooting for the top and if it's not good or excellent we don't care. So if they didn't rank us as either a 4 or 5 good or excellent we took that number off. So you can count the difference that way. But really pleased to say that I feel that our numbers we're very pleased with the numbers. Of course, we don't have a comparison yet we have nothing to compare them to but overall strong numbers. So people that rated their experience as good or excellent this summer 84% almost 85%, how likely they are to recommend Dogwood Pool to friends and family almost 90% said either good or excellent that they would someone likely or very likely recommend the pool to friends and family this way. Given an idea how often people visited it, what time of day that they came in and you see the majority came in that mid-afternoon period between 1:00 and 3:00. That was 44%. Self-selected that they did at that point in time. About 75% of the season pass holders purchased from the concession stand. Now if flip to the back side gives us some idea of their thoughts on the concession stand. We see we have some room for improvement there. So you know I think it was good but there's clearly some room for improvement on what can do to get that number up. Number 8 I'll tell you though was probably the number that I'm most proud of because I think that's one of the things we do that the Y the best is rated the following aspects of our of the pool. To me that all revolves around safety you see almost every number except for well 2 of them 88% and 89% were 90% and above of the people that rank us good or excellent on lifeguard awareness, lifeguard visibility, overall safety was a 94%, lifeguard customer service skills, pool check-in and desk, desk staff knowledge gives an idea of what that looks like there. Then some of the amenities as well in that way and some of those you know are not terribly shocking but they're certainly things that we can do. We know the locker rooms needs some assistance at some point in the future. That's not a surprise in that way. And when you have locker rooms that are in need of repair cleanliness comes down as well its tied together with the building that way. I also on the third page as part of that survey we had an opportunity for people to provide some verbatim comments and things on there. We had a number of really positive things that people had to say about the pool this summer so I just took a couple highlights and pulled them for you as well just to share some of the great things that people had to say about the pool as well in that way. So I wanted to share that data with you as well. Overall, we were very pleased with the results this year. We feel that it went exceedingly well, we felt that the staff did a tremendous job put a lot of time and extra effort into making things special for people. We were able to really I think throughout the course of the summer get a much better feel for what works and what doesn't at the pool from day 1 to day 93. You know drastic change in our understanding of what works and from there. Prior to during the discussion phase in last spring and the winter and prior to us taking this endeavor we had done a number of surveys to other people who ran area pools other YMCAs who partnered with cities and governments that way and I think it's interesting we just talked about it again today we need to back cause we know the questions we didn't know before. And now we know the things we didn't

know we learned we a lot over the course of the summer and it was very exciting. So I just wanted to tell you guys that I certainly appreciate the opportunity we appreciate the trust you had in the YMCA, the trust you had in the staff at the Y and myself to do this we're excited about the results and certainly looking forward to discussing future opportunity with you guys as well moving forward. And we'll be working with Karen as we look to the close the financials of the pool probably in the next 30 days or so as we finish up to close up September at that point in time too. So other than that I'm always available for questions.

COUNCIL PRESIDENT PETERS: Ben, thank you very much, very thorough.

BEN WHEELER: Sure.

COUNCILMAN FOLTZ: Just a follow up I did talk to Ben unfortunately we couldn't keep the pool open longer. I was disappointed in that frankly.

COUNCILMAN CERRETA: Me too.

COUNCILMAN FOLTZ: I found that out at a park board meeting and I'm not here to lay blame with anybody but hopefully in the future we'll be able to keep the pool open into September I don't see why not. It just maybe it was something unexpected that we had to deal with but as we left for summer session I wanted to make sure we kept that pool open as late as we could and we obviously didn't do that. So can't do anything about it now but learn from that and hopefully we're into September because you know Labor Day weekend we would have probably brought \$5,000 or \$6,000 in just on that week with walk up let alone the memberships. So just wanted to make that known for the record. And thanks for returning my call about that when we discussed that late August.

BEN WHEELER: No, no problem at all I appreciate the communication that way. And that was one of the feedback questions that we've gotten from members there too and we've had to help communicate that as far as why the pool wasn't open still and what was happening in that way. So we certainly have tried to communicate that and I think you're right opportunities in the future certainly are valuable for us to stay open longer and to serve the community into the school year moving forward. So absolutely.

COUNCILMAN CERRETA: Well we'll surely update talks with you Ben we're looking forward to seeing where we go from here. So thank you very much.

MAYOR HELD: Ben, I'd really like to thank the work that the YMCA did this at the pool. And I'd also especially like to thank city council for exploring this whole partnership and for driving it through. This really I think is the best partnership we've ever had. Because when you look at the city our big challenges when we were managing the pool for all these years we just didn't we don't have the resources, we don't have the resources, we don't have the experience as compared to the YMCA. And there's two things that set out the most well there's actually three things number 1 the finances you know we have there was a total increase in revenue from last year to this year 14%. So that's great. And then the other increase is the 8% in visitation or participation. So the numbers went up and also two things are the safety we had 2 sexual offenders that came into the pool you were able to identify them and remove them.

BEN WHEELER: Correct.

MAYOR HELD: Or not them in.

BEN WHEELER: Correct, we had a conversation with them in the appropriate setting in front so we were able to resolve that situation before it became situation and their families chose to do something else that day.

MAYOR HELD: And I mean that's incredible and the other is because I know that last year the council was always talking about safety at the pool and making sure and all of you that went to the pool this year you had the little wristbands.

BEN WHEELER: Correct.

MAYOR HELD: Because my daughter came home and told me that she had to have her wristband before she could swim in the deep end and that some of the kids were really very upset because they couldn't pass the deep water test. So they weren't permitted to go in the deep end which was a complaint that a lot of the young kids had. And that's a good thing that they're not permitted in the deep end when they can't pass the test. But then as I understand a lot of them turned into a challenge. So that they could learn to do the deep water test so...

BEN WHEELER: That was a tremendous that was a great win for us over the course of the summer because it was at the beginning of summer it was new for a lot of people and they were not used to it if they weren't familiar with how we operate and I think that deep water test is consistent with every YMCA in Stark and Summit County at least in this area and I'm sure many more. It's recommended through our insurance provider that's what we follow through all the YMCA protocols. But there were a lot that did struggle with that at the beginning of summer and swim differently than this way and it really was great to watch them all summer the kids wearing green bands they were able to do that and it was a great accomplishment and rewarding for them and they worked hard.

MAYOR HELD: So very good I do appreciate council’s work on this because I know that you folks worked very hard on that especially Mark Cerreta and Dan Griffith that got the ball rolling with the YMCA. This is an excellent, excellent partnership and these are the kinds of things you know we reduce our costs on behalf of the city but we clearly have improved the service and the safety. So very good. Thank you.

COUNCILMAN GRIFFITH: I know that my 7 year old commented that my 9 year old started swimming lessons Coach Dee Dee who’s our nemesis coach at the Y does a fantastic job and my 7 year old commented she said “you know she’s the lady who does the deep water test and she’s really, really picky”. That’s what she said. And I said “well that’s a good thing I’m glad she is I don’t want you out there if you’re not supposed to be.” But she tried harder to be a better swimmer this year because of that. So that’s very good.

BEN WHEELER: We have a basic philosophy at the Y if you can’t swim you should stay where you can touch.

COUNCILMAN GRIFFITH: And as you can imagine my daughter is not as tall as some other daughters might be so I’m sure that’s why Dee Dee was more particular.

7. Old Business:

COUNCIL PRESIDENT PETERS: Alright very good we’ll move onto old business. Just a note here on Ordinance No. 46 – 2015 we have the consultant coming in on the 28th to talk with us about this. I’ve got a request to table the second reading until the 28th is there...

COUNCILMAN CERRETA: I would like to request it. I’ll move that we table it this is the time to do that then beforehand I really think as a committee we really need to hear this person out. This is over a \$1,000,000.00 and we need to make sure that we have all the information we have before we dive into this even into the second reading. So I move that we this thing until we do we hear.

COUNCILMAN FOLTZ: Second.

Roll call vote of 7 yes to table the second reading of Ordinance No. 46 – 2015

8. Ordinance No. 42 – 2015 Water, Sewer and Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director’s office, and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Fixed Base Water Meter Project, at a total cost not to exceed \$1,074,000.

COUNCIL PRESIDENT PETERS: Yes, thank you, we’ll have this on the agenda for the 28th for the second reading after we hear from the consultant. Okay moving on may I have a motion and a second to read by title only the second reading of Ordinance No. 53 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the second reading of Ordinance No. 53 - 2015.

9. Ordinance No. 53 – 2015 Finance and Property Committee

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement between the City of North Canton and the Stark County Commissioners and U.S. Geological Survey, Ohio Water Science Center (“USGS”) for the placement of a stream gauge in the Zimmer Ditch within the City’s corporate limits, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Griffith.

COUNCILMAN GRIFFITH: We kind of held off a little bit about this until we got a copy of the formal agreement which we have and it looks like it says I had a chance to review it earlier this afternoon and it appears to say what we thought that it did. Obviously this is going to be a project that will help us with a lot of the flooding down there on the Zimmer ditch. And it’s a big huge amount and our obligation is about \$33,000 over a period of 5 years. Beginning with it looks like \$3,900 potentially in this budget year we’ll see how that works out too but at any rate it’s what we talked about before the terms appear to be very favorable to the city and we’ll continue to do the good work down there that we’ve been able to start. So are there any questions?

COUNCILMAN FONTE: Do you know how long it’s supposed to be in place before we have any analysis on what we’re supposed to do with it? Oh I guess the engineer is not here, I’m sorry.

DIRECTOR GRIMES: They'll start reading as soon as they've got the gauges in and if you notice the gauges is in on Glenwood last week.

COUNCILMAN FONTE: I just didn't know like I know they have them all over the place. How many months or years before we get a sense of how to correct the problem?

DIRECTOR GRIMES: The more data that you have obviously the better the readings but they're going to start data collecting immediately.

COUNCILMAN GRIFFITH: Other questions? Alright, then I would move its adoption.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt the second reading of Ordinance No. 53 - 2015.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 53 - 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to suspend the rules of council for three readings for Ordinance No. 53 – 2015.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules for Ordinance No. 53 – 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Ordinance No. 53 – 2015.

ORDINANCE NO. 53 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 7 YES

10. Reports – Council:

COUNCIL PRESIDENT PETERS: Alright, thank you very much. Reports, Member Fonte?

COUNCILMAN FONTE: I'd just like to say thanks for all the people that gave input and definitely appreciate your words. The other thing is the Zimber ditch you know there's a lot of houses the last group of houses are under contract and closing and we're going to see some demolition soon on that. And I'm excited about the gauge to see if we can fix the problem for once and for all. Hopefully. And other than that that's it.

COUNCIL PRESIDENT PETERS: Okay, Member Werren?

COUNCILWOMAN WERREN: Just thank you again for the residents for coming and we'll take that all into consideration.

COUNCIL PRESIDENT PETERS: Member Kiesling?

COUNCILWOMAN KIESLING: No report.

COUNCIL PRESIDENT PETERS: Member Griffith?

COUNCILMAN GRIFFITH: I have a couple of things. We do need to prepare to have a few folks on the Board Tax of Appeals and I've had some discussions with some local accounts and attorneys. We need some non-accountants and attorneys as well so we'll have some discussion about that. But if you have suggestions about people you think would be good to serve that would be helpful. So please feel free to ship those names to me or to Karen or to the Mayor because he gets to choose one and we get to choose two. So we'll have to be doing that and we need to get that in place pretty quickly too. So that was one of them. I wanted to I talked to Mark a little bit earlier we put in place a couple of years ago of course as a city the master plan. And we've done some really nice things with that but it's one of those things that we haven't heard very much about. There hasn't been much update on and so I think it would be helpful if we potentially got the folks who, who spearheaded that effort back together and kind of talked about all that has happened. Because a lot has actually happened. And I think it's good to hear the good stuff and we need to hear about what's been accomplished and then go back and review that and see how much kind of look at the water behind the boat in this effort as well. So hopefully we can do that too. And finally, finally, my calendar popped up this morning a little note that I put for myself about a year ago that said "talk to council about night Trick or Treating" because last year after we Trick or Treated we talked about having Trick or Treating in the evening rather than during the afternoon. We all kind of and we you know it was one of those well how can we do that? So apparently my calendar remembered what I've thrown out there. So I think we should throw that on the agenda before we set it that we

would decide when...

DIRECTOR GRIMES: We set it.

COUNCILMAN GRIFFITH: At any rate I mean but yes.

LAW DIRECTOR FOX: They've been calling for weeks wanting to know.

MAYOR HELD: Yeah, usually what just to summarize that is that the county will have it on the Sunday closest or just before October 31st. And they usually have 3:00 to 5:00 and so in this case Halloween's on Saturday and so the county was having it on Saturday 3:00 to 5:00. And so the normal process just took over and you know we in accordance scheduled it for Saturday 3:00 to 5:00. Because it is amazing how many people start calling in like August for trick or Treating. That's incredible planning for Halloween. That was impressive then so...

COUNCILMAN FOLTZ: What's the date on that?

MAYOR HELD: October 31st. It's a Saturday.

COUNCILWOMAN KIESLING: We're going to Trick or Treat on Saturday the actual holiday.

MAYOR HELD: So this I think is the first time that I can recall that it was actually on Halloween. Because it's normally the Saturday and you know and I think really the reason the county has had it during the day is just because obviously the kids are visible more so during the day. But you know other communities have it...

COUNCILMAN GRIFFITH: You recall though Mayor to interrupt briefly I asked Chief Wilder when he was here about this and he said he had no objections on the record he said he had no objections to doing it later in the evening too. So...

MAYOR HELD: And that's something that's been brought up here I mean I can remember back in 2001 when I was the administrator it was brought up. So...

COUNCILMAN FOLTZ: I brought it up if we have three other votes I'll vote to change it and modify that time.

COUNCILWOMAN KIESLING: Especially when daylight savings isn't until the next day. So it still be light till 6:00 probably if not later.

COUNCILMAN FOLTZ: Even if we went 4:00 to 6:00.

COUNCILMAN GRIFFITH: Is what, what major issues would result if we changed the time now Mike?

MAYOR HELD: It's just a communication. It's like since there's already been one you know there's been notification sent out already then you're confusing it "I thought it was this time and now" so then it's just a matter of getting it out to the residents. The one challenge that we have is that you know it's not like we have a regular newsletter that goes out to the residents. You know we can say whatever on the website and things like that. But we just know that not all of our residents are going to go the website to look at the time. Often times in this community its word of mouth, so once one person starts to talk you know one parent talks to another parent and the word starts to spread. Then you know schedules get made and so I would my recommendation would be to keep it at this time and you know if we were to do it again for next year like in the evening that we just start earlier for that because we don't want to disrupt any schedules that moms or dads have other kids Trick or Treating. That would be my recommendation now.

COUNCILMAN CERRETA: Well, it's more than just our city, it's our entire school system. I mean there's you know people follow what we do. So you really have to be prepared for that.

MAYOR HELD: Right, it's not something we want to just change you know...

COUNCILMAN GRIFFITH: I think it's well enough in advance that...

COUNCILMAN FOLTZ: I think so I agree we're six weeks away we're going from Sunday to Saturday if we make an hour difference to get an hour of darkness I think...

COUNCILMAN GRIFFITH: If we change it on the website and the stories that are more contemporaneous to the...

COUNCILMAN FOLTZ: The newspapers will handle it they always post it.

COUNCILMAN FONTE: At the square in town you could put a little banner up you know like you do when there's a saying or something like that. So people driving by can see.

COUNCILWOMAN WERREN: Put it in the North Neighbor News, yours schools all know, your schools are your main source. They'd get it out.

COUNCILMAN FONTE: So maybe we should discuss it sometime later.

COUNCILMAN CERRETA: Then put it on?

COUNCILMAN FOLTZ: Let's put it on.

COUNCILMAN FONTE: Yeah, put it on we'll talk about it.

COUNCILWOMAN WERREN: For committee next week?

COUNCILWOMAN KIESLING: And that's 5 weeks away.

COUNCILMAN GRIFFITH: So who knew that would be the major issue at any rate? Yes, I'm sorry, anyway I should have put it on a few weeks earlier Mike I apologize.

COUNCILMAN FOLTZ: Well you start thinking about it when you'd seen the Halloween candy and costumes in the store.

COUNCILMAN GRIFFITH: Well, I did it last week like the week after we did it I put it on my calendar to talk about this week, it wasn't soon enough. I apologize. Anyways that's all I have.

COUNCILMAN CERRETA: Okay, that's good.

COUNCIL PRESIDENT PETERS: Member Cerreta?

COUNCILMAN CERRETA: Couple things I want to reiterate here because you know in spite of what a few people think about a couple doom and glooms going on there are so many good things going on in our city. And what we are doing you know to get this city where it should be I want to review just some of the things that we had talked about and you know if I just go back 2 months we were off throughout the summer or here that we were catching up. I mean look at what's going on with Price Park and the new parking lot, the street. Jim's going to have some numbers for us about the amount of streets we did this year which are fantastic. When you get the winters that we've had the last couple of years and that's part of our job doing that and keep people safe and keep people on our roads. So just a fantastic job with that. The walls on Main Street you know the esthetics of our city is very important. This is a place where people want to come to and see all the time. So when you have things like that you need to fix it and keeping those up that's a big deal. Main Street Festival what just a fantastic thing that the community put together. You know some of the Friday fun days that the library put on. The guard shack being moved which I'm going to mention something a meeting that we had here. So there's a lot of really good things going on here despite what people say about "oh this thing's going on around" we need to keep make sure that we're staying positive by about a lot of things. Because there are good things happening in this city and our economy's coming back. Across the street is you know is getting their stuff together. Businesses on Main Street are starting to fill up and I think if you talk to Eric you'll know there's a big shortage of even some business on Main Street. So there are a lot of good things and we want to keep doing that and I think we're doing a good job of trying to follow that. So let's don't get caught up in the weeds all the time. Also I did meet with Mike and the Heritage Society about the guard shack they are going to take that over Tim's putting together some of the logistics of that. And they are going to have like a fundraiser drive to create some funds to keep it up. And so what we're really what we're doing right now is meeting with them about what the responsibilities are for them and for us and what we do want to see with that. As I said from the very beginning I want it to be a functional thing not just sit there and look like a piece of history. We need something that's functional. So I'm really Steve Coon again has stepped up and the Heritage Society will pay him this time for a couple little things that they would like done. But he had volunteered to do that even though that you know they will pay him for that. And this week I believe we're going to get electric to it. So if you see a little trench that goes from city hall to they're they're going to get electric out there so they can get some things done on that. So we did meet with that this week or I believe it was last week. And I think that is it for me for right now. So that's it for my reports.

COUNCIL PRESIDENT PETERS: Member Foltz?

COUNCILMAN FOLTZ: Yeah, just a follow up looking forward to even more streets getting done. Just talked to Mike I know Jim's not here Benekos but I still have a few streets from last year that aren't done yet. And I know we're catching up with catch basins obviously there's a lot of work going on. And that has to happen first to do the street improvements right so hopefully we get done for sure it's the middle of September now I don't want to be paving in November. I want to make sure that contractors are out there taking care of what we need to have done. So still moving full speed ahead with Sheraton and East Park and looking forward as Mark said keep improving our city. We're doing that. We're doing it and we should all be thankful that we have the economic opportunities to do it also. A lot of cities and townships don't have this type of money yet. They're really behind the 8 ball and I think we're spending it pretty wisely overall for what we're doing. So that's it. Thank you.

13. Reports:

COUNCIL PRESIDENT PETERS: Director of Law?

LAW DIRECTOR FOX: Sure, on the Zablo matter that residents have come and stated their concerns. As you recall this began in the spring when residents came to Council and said that they had been unable to get this issue resolved and asked for

Council to get involved. Then asked me to get involved in this. And initially we contacted the corporation asked for voluntary compliance we were unable to get a positive response. That caused us to initially start with a complaint in Mayor's court thinking we might be able to resolve it there it appeared that that was going to bring a resolution. Unfortunately it did not that caused us then to file a criminal complaint in Canton Municipal Court. From the beginning we asked for three things this is what residents asked for: as quickly as possible take the wall, grade the lot, seed the lot. And recently through some negotiations while criminal complaint was still moving forward we met with their counsel and Mr. Zablo and we were set that nothing short of quickly take down the wall, grade it and seed it. That's exactly what we achieved. Now some residents are asking for something more, they're asking for some I guess future promises that the property will be maintained, that it will be graded in a certain way that's acceptable to them. Unfortunately, you don't get those things in settlements it's a bit of a give and take but the point we can rely on is if a nuisance still exists when Zablo and Sons says "I think we're done here" we can still file a complaint. This one first of all it's dismissed without prejudice meaning it can be brought again but the nature of a nuisance if a nuisance exists you can bring another complaint because the nuisance hasn't been abated. If there's a future nuisance you can bring a complaint but since we received the judgement entry and I forward that to his legal counsel and they said they would move promptly. I was told that as quickly as within a couple days that work would begin. It was depending on the schedule for the person with the heavy equipment but I did forward those documents today I had forwarded Linda Hoagland had her issues and concerns I had forwarded that to Zablo's legal counsel so they would understand what some of the residents' concerns were. And I had done that from some telephone calls and other emails that I had received for those things on. So I hope that we give this a chance. Hopefully he's going quickly comply in a way that's you know we know believe that this, this plot is a marketing point for those condominiums. People are going to come there to look at the condominiums that are there with the presumption that a similar condominium is going to be built right here. And if that lot is not pleasing to the eye I imagine it wouldn't be a very good marketing point. As I said he builds very, very nice condominiums those are high end luxury condominiums and I think if you are bringing you know potential new residents there it would be in your best interest to make that first thing that they see pleasing to the eye. So, so with that we will keep a close eye on it if it's not graded to you know in a way that's reasonable and safe we'll take issue with that. If the property is not maintained that's why we have zoning officers to look at those things. We will take those issues up but to say that we shouldn't enter the agreement now because of some future harm I think that's perhaps misguided. And I don't mean that in a harmful way but I don't think we have the right to demand assurances in requirements beyond that we would for any of our other residents. If someone else doesn't maintain a vacant lot we take that up and we can move forward with our zoning officers and with the courts. If he doesn't or the corporation doesn't maintain it properly then that's exactly what we'll do. But to say "this agreement didn't get what we wanted done" again three things we asked for three things we received from this agreement. So I hope you take a close look at it and I hope before you make your final vote on it is in such a way that you'll be encouraged to give it a favorable look. That's all I have.

COUNCIL PRESIDENT PETERS: Thank you, Director of Finance.

FINANCE DIRECTOR ALGER: Okay, on a positive note we have started a new payroll system and we ran that the last two payrolls and it had gone very smoothly. On the record thank Shanna for making it such a smooth transition. We are looking into a time and attendance system and that should help out with all the glitches that have happened with timeclocks and all. And that will go in live October 4th, we're doing a training right now. Second or third thing I guess is we met with our consultant and we're starting to work on the ordinance for the House Bill 5 which is the new income tax reform. We have another meeting the law director, myself and Councilman Griffith. And just to piggyback on what you had commented on Dan with the Tax Review Board 2 people are appointed as you said by Council, 1 by the Mayor and then there's an alternate. So we make sure that individual is there as well so that we always have 3 at any time at the review. Other than that.

COUNCIL PRESIDENT PETERS: Director of Administration.

DIRECTOR GRIMES: First the bad news for Mr. Wheeler, we are shutting Bitzer tomorrow for your customers. So we're redoing some of the catch basins and that there so for the next three days we'll have it shut, open, shut, open we'll try to keep you appraise of that. So I'm sure your customers will let you and I know about it. We did clear out the ditch down there where Sheraton is at obviously we went in and cleaned out all those pipes before, we got the ditch cleaned out it seems to be moving pretty good. I haven't heard of any issues down there but if you have any make sure I'm aware of them. But we are watching that pretty closely down there. Also in kind of a related thing we're doing the ballfield down there the Price Park ballfield. We've started that project too. We think (inaudible) that's going to help us with the ditch because a lot of that was flowing down that way so when we changed the grading and that it should be better that way. So we have drug take back. The Chief Wilder has scheduled that for September 26th 10:00 to 2:00 here in city hall. It's a special day for that but we do have a drug box that you can drop that stuff in anyhow and I'm not sure why but it seems like North Canton is always is #1 in that. But both on the daily pick up and the on the other one. But we do have that. Something that we get asked a lot about is shredding your documents and that's going to happen this weekend September 19th 8:00 to 12:00 at the First Ohio Community Credit Union just north of town. That seems we start getting calls on that in the middle of the summer. And then just something I just want to go over is we really have some good people working for us. And that was real evident when we had the Drinking Water Plant incident out there. It was not our fault. That was the trucking company there's nothing we could do about it we're not allowed on their trucks. We had people there but we had three people that we did take to the emergency room because of the chemicals and the vapor that it caused. It's very volatile One person was off for a week we just got him back to work so we're real lucky that you know nothing else happened to him. But our Superintendent Mark Leichtamer and our Operations Manager John Hockensmith they recognized it happening as soon as it did. They went and donned air packs immediately, made sure everybody got out of the area. They went and made sure that it didn't get any worse and then

throughout the event because we have HAZMAT there and numerous fire depts., EPA and those folks they volunteered Mark and John to don the suits and go back in and turn the valves that needed turned or anything that needed because they said they knew the operation best. And so it's kind of kind of good on their part they're heroes to me because that stuff is really volatile it eats the metal right off the walls, it eats the scale parts off, the fans even later on when you use it to vent the it eats part of the fans up so it's really a high volatile stuff. And those guys went right in to do their thing and they were all back to work the next day. So I just wanted to let you know yes, it was an event that you know didn't operate or didn't do anything to our operation, the water kept flowing, it wasn't near our water, that was fine, but those guys really reacted well out there. Thank you.

COUNCIL PRESIDENT PETERS: Not surprised either.

DIRECTOR GRIMES: Yeah, not really.

COUNCIL PRESIDENT PETERS: One quick question regard to Sheraton, the storm sewer that Jim was looking at up farther up line were those cleared out as well. Is that what I heard you say?

DIRECTOR GRIMES: Yeah, I think we got as far up as we needed to get because of the way it was backing up there. So even up around where that vent was at we were able to get that cleared.

COUNCIL PRESIDENT PETERS: Was that relayed to any of the residents down there did anyone let them know?

DIRECTOR GRIMES: I don't know if it has been or not.

COUNCIL PRESIDENT PETERS: Okay, I'll give them a call then.

DIRECTOR GRIMES: Alright.

COUNCIL PRESIDENT PETERS: Alright, thank you. Mr. Mayor?

MAYOR HELD: Yes, just a few items. First, I want to thank all of our residents for coming up to the public speaks all of you for speaking. Because it's really the input that you folks give us that helps to make better decisions for the city. A few items that I wanted to address is the Zablo agreement the settlement agreement I haven't seen it yet but you know to make it real simple I had instructed and after we had discussion with the councilmembers, Mike Grimes and also our Law Director Tim Fox. We wanted three things: to have the wall taken down, to have the property graded and to have it seeded. And so that's what we have in the agreement. And I know that you folks and this is based on the input that we got from you folks that live over there because we want to see the place improved. If there's additional improvements that you want because what I'm hearing is that it's to the extent of the grading that you want or to and this is based on Sallie what you were just saying here earlier tonight and Linda also what you're saying. You know we want as a city for that place to look good, that wall has stood up there for 7 years. Is it 7 years that's been up there? 7 years you've had a foundational wall sitting there with, with the footers around that area. So that's going to be taken down, that's going to be graded and we're going to have grass seed put in. And based on your input if Sallie if there's additional things that you would like that I didn't hear in the discussion tonight or in your presentation let us know. But it sounds like it's the extent of the grading that you want to make sure that the grading that is done is satisfactory. That if Mr. Zablo if it's not spelled out for him that he will abuse that term as far as grading. Correct? And I think that's what I'm hearing from you folks. Which I agree with you. I'm, I'm fully supportive of what you're saying because we don't want it to look bad. We want it to look like nice. There's no incentive Linda, there's no incentive that we, anyone has up here for that to look bad. I mean we want it to look good and I'm really proud of the work that was done in the law department and also our council. You can see that in over a 7 year period that wall has been standing with no action. What changed that is when the City filed a criminal complaint against the developer. That's where we have this settlement agreement that's being proposed. So I'm feeling good about this. But let's continue to let the process take its course and we do have other laws on the zoning laws that if there were problems as far as the grass growing or something being unsightly that we have other courses of action that we can take and we also dismissed without prejudice which means the city's not giving up their right to take action if the folks if you folks Linda, Sallie all of you find that it's not satisfactory the city can see move ahead then proceed with further action. And I haven't had a chance to see the settlement agreement either at this point but I'm it very well could be in our, my mailbox but I haven't looked at it. So that's the one thing lets continue to work through this because our goal is to make sure you folks are happy. And the rest of the neighbors are happy in that area. The next item is Price Park parking lot if anyone had an opportunity to look at that it's beautiful. I mean that was a job well done. And we're going to have the signs up there that really demonstrate how it's a more sustainable parking lot. How the water can drain through the bricks there. It's just beautiful and we've expanded the lot and so there's going to be additional space for parking. So that was very positive. And the drug collection this is really interesting. Do you know that the Solid Waste District where I work at during the day the Tri-County area we have the highest rate of drug collection in the whole State of Ohio our of all the districts. Stark County in 2013 that's the latest data that we have was the #1 county out of 88 counties. For the total volume of drugs collected. And in Stark County North Canton is the #1 political subdivision for the amount of drugs that have been collected. And that's really positive because when people flush their expired or unwanted medications down the toilet they do not metabolize completely through the sanitary treatment system. And so often times it gets detected into the streams and the waterways so if you have all those medications please bring them in. And I think the reason we have such a high volume is because we have very environmentally and safety conscious residents here in North Canton that want to properly dispose of their medications. And we also as far as usage we do have the independent living facilities where residents live at the

independent centers. I know we have a high participation rate from those folks. But that's a great, great program. And we do as it was mentioned here that we do have a 24 hour a day drop off every day right here in the police department. But we still they still want to hold the event just to bring greater awareness. And lastly Mike our administrator addressed the hazardous waste. You know and Mike you mentioned that you felt that our city employees were heroes and I can tell you it's one of those things you know I've been now what 10 years as the mayor and 2 years as the administrator and that was a very, very stressful situation. We had the fluoride that goes into our water to keep our teeth bright a truck comes and drops off the fluoride and then they also drop off the chlorine to disinfect the water to make sure there's no bacteria. And they inadvertently the fluoride was pumped into the chlorine and it caused a chemical reaction which is chlorine gas. Which is highly toxic and poisonous. It was at a level of like a 10 which is immediately harmful to exposure. There were levels that were up to 30. And that our city employees John Hockensmith, Mark Leichtamer when that happened you could see the cloud of chlorine gas in the building. Now what's nice is that the way our new water treatment plant is set up the chemical building is completely separate. And there's 2 connection valves that have to take place before those chemicals make it in properly to our water treatment plant. So our system worked fantastically. Secondly when John Hockensmith and Mark Leichtamer when that accident took place which was no doing of the City they went in there which their gas masks into a room that's filled with poisonous toxic gas to turn off the turn off valves to shut those down. It was incredible and when I went out to the site we had 7 fire departments represented there over I think 27 emergency vehicles all in their bubble suits. You know in the old E.T. movie where they were moving out E.T. and they had the bubbles and the tunnels and I mean that's what it looked like. It was like something I've even seen before but the training and the coordination with our fire and HAZMAT service it was I mean it just gives you goosebumps because they did a fantastic job. And Mike Grimes was heading it up with our other city crew. I can tell you when there's an emergency the people in Stark County emergency services they come together. It was very, very impressive and the good thing is no harm was done there was in some cases when you have a chlorine gas leak you'll have to evacuate up to a mile totally evacuation of residents and businesses. But in this case they contained it and did a fantastic job so very, very proud of everybody involved in that. And that's all I have. Thank you.

-COUNCIL PRESIDENT PETERS: Thank you. Council Clerk?

COUNCIL CLERK BAILEY: My reports going to be very boring after that. The only thing I have to report a dispatch service exam that took place August 20 and next Thursday, September 24 I will have a civil service Sergeant's promotional exam taking place. So that's all I have.

COUNCIL PRESIDENT PETERS: Alright, very good. Alright, thank you. At this time I'll entertain a motion and a second to move into executive session. This executive session is for the purpose of conferring with the law director concerning disputes involving the city their subject of pending or imminent court action. The executive session will not be open to the public.

COUNCILMAN GRIFFITH: Motion.

COUNCILMAN FOLTZ: Second.

Roll call vote of 7 yes to move into executive session.

COUNCILMAN FOLTZ: Okay, motion to reconvene the special committee meeting.

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 6 yes to adjourn executive session and return to the council meeting.

COUNCILMAN FOLTZ: And just to note for the record time is 9:31pm also to make a motion to excuse President Peters, he had to leave because he's feeling well.

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to excuse Council President Peters.

LAW DIRECTOR FOX: If just so we can note it on the record President Peters didn't participate in the executive session. He did leave he wasn't feeling well.

14. Final Call for New Business:

COUNCILMAN FOLTZ: Okay, with that said do I have a motion to set a special committee meeting for Wednesday, September 16, 2015 at 7:30am to discuss the rules and procedures for the September 29th hearing?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to schedule a Special Committee Meeting for Wednesday, September 16, 2015 at 7:30am.

15. Adjourn:

COUNCILMAN FOLTZ: With that do I have a motion to adjourn?

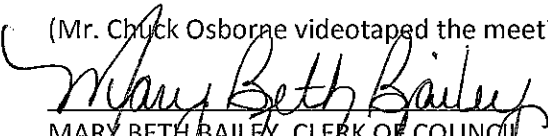
COUNCILMAN GRIFFITH: So moved.


COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to adjourn.

COUNCILMAN FOLTZ: We are adjourned.

(Mr. Chuck Osborne videotaped the meeting).


MARY BETH BAILEY, CLERK OF COUNCIL


DANIEL JEFF PETERS, PRESIDENT